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PHILIP MORRIS INCORPORATED
LAW DEPT - PATENT SECTION

DEC - 4 1989

NOTED

JHB/JB/30591
21st November, 1989

(claims attached)

COPY

Dear Jeff,

Bulgarian Patent Application No. 89276
PM1322
Our File: 30591

I enclose a translation of a Bulgarian official letter which is due for reply by 1st February 1990.

The letter is basically formal and is, I suspect, standard. Our correspondents do not point out which points are not already met in the specification on file. My own suggestions are as follows:-

1. I am not sure what "static disclosure" means. Perhaps it refers to a structural rather than a functional disclosure of the prior art. In a number of East European countries it is customary to require identification of the closest prior art. The patent numbers of the prior art items on pages 1 and 2 were omitted when the specification was prepared for foreign filing (apart from the Ellis patent at the top of page 2). Perhaps we could identify the closest prior art, the disadvantages of which (see paragraph 2.) provide the background for the present invention. The item coming closest to this requirement seems to be the "fourth smoking article" of page 2, which is I suspect one of the R. J. Reynolds published applications.
2. It will be seen that Bulgaria employs the "problem and solution" approach to patentability.
3. For "volume" read "scope". This paragraph merely requires the well-known "statement of invention".
4. I can deal with this, by collecting statements of advantage from elsewhere in the specification in a separate section preceding the brief description of the drawings.

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R.G

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- continued....

5. The present detailed disclosure is more than adequate, although it is suggested that the embodiments should be first described "statically" and then in operation. I will ask our Associates whether the present text does not already meet this requirement to a sufficient extent.
6. The claims have to be in two-part form and omit purely functional statements. We shall need to do something along similar lines in various foreign countries and perhaps to some extent even for the EPO. As a first exercise I enclose a draft of claims in European form. If you can let me have your comments or approval, then I can use the European claims as the basis of non-functional claims for Bulgaria.
7. They already have an abstract, but perhaps it should be rearranged. I can deal with this.

We are also required to file in Bulgaria details of corresponding applications filed in other countries, but this is required by 1st December and I am dealing with it at once.

Yours sincerely,

J. H. Bass

c.c. Beverly A. Monroe (Philip Morris, Richmond)

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